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*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

November 4, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8764

INTERNET ADDRESS:
CWALSH@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1743

Re: U.S. Utility Patent Application
Application No. 10/648,264; Filed: August 27, 2003
For: **Materials for Enhancing Staining of Biopolymers in Matrices**
Inventor: Scott Whitney
Our Ref: 0942.5190002/RWE/CJW

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Credit Card Payment Form PTO-2038 for \$180.00 to cover the fee for submission of an Information Disclosure Statement;
3. Information Disclosure Statement;
4. Form PTO-1449 (6 sheets);
5. First Supplemental Information Disclosure Statement;
6. Form PTO-1449 (2 sheets); and
7. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
November 4, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Christopher J. Walsh
Agent for Applicant
Registration No. 55,709

CJW/dab
330263_1.DOC
Enclosures



PTO/SB/17 (10-03)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
180

Complete if Known

Application Number	10/648,264
Filing Date	August 27, 2003
First Named Inventor	Scott Whitney
Examiner Name	Wallenhorst, M.
Art Unit	1743
Attorney Docket No.	0942.5190002/RWE/CJW

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None☐ **Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036.Deposit
Account
Number
Deposit
Account
Name

19-0036

Sterne, Kessler, Goldstein & Fox
P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)-0-

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	- 20 **=	X	
Independent Claims	- 3 **=	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)-0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)
180

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Christopher J. Walsh	Registration No. (Attorney/Agent)	55,709	Telephone	(202) 371-2600
Signature	Christopher J. Walsh	Date	November 4, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott WHITNEY

Appl. No.: 10/648,264

Filed: August 27, 2003

For: **Materials for Enhancing Staining of
Biopolymers in Matrices**

Confirmation No.: 5236

Art Unit: 1743

Examiner: Wallenhorst, M.

Atty. Docket: 0942.5190002/RWE/CJW

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents AR1-AS6 were cited by or submitted to the Office in an Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. No. 09/988,746, filed November 20, 2001, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

In accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the

effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 for payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

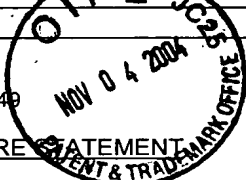
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Christopher J. Walsh
Agent for Applicant
Registration No. 55,709

Date: November 4, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

				Page 1 of 6		
FORM PTO-1449				ATTY. DOCKET NO. 0942.5190002/RWE/CJW		
INFORMATION DISCLOSURE STATEMENT				APPLICATION NO. 10/648,264		
PATENT & TRADE-MARK OFFICE				FIRST NAMED INVENTOR Scott WHITNEY		
FILING DATE August 27, 2003				ART UNIT 1743		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	FILING DATE
	AA1	4,405,720	09/20/1993	Merril		01/18/1982
	AB1	4,468,466	08/28/1984	Morrissey		02/16/1982
	AC1	4,575,452	03/11/1986	Lee <i>et al.</i>		09/21/1984
	AD1	4,703,016	10/27/1987	Merril		05/05/1986
	AE					
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	AK					
FOREIGN PATENT DOCUMENTS						
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	TRANSLATION
	AL					Yes No
	AM					Yes No
	AN					Yes No
	AO					Yes No
	AP					Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)						
	AR	1	Bergman, A.-C. <i>et al.</i> , "Identification of gel-separated tumor marker proteins by mass spectrometry," <i>Electrophoresis</i> 21:679-686, Wiley-VCH (February 2000).			
	AS	1	Carr, S.A. and Annan, R.S., "Overview of Peptide and Protein Analysis by Mass Spectrometry," in <i>Current Protocols in Protein Science</i> , Coligan, J.E. <i>et al.</i> , Eds., John Wiley & Sons, Inc., New York, NY, pp. 16.1.1-16.1.27 (1996).			
	AT	1	Expressions, "Mass Spectrometry-Compatible Silver Staining," Invitrogen Newsletter for Gene Cloning, Expression, and Analysis, Volume 7, page 9, November 2000.			
EXAMINER					DATE CONSIDERED	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.						

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
0942.5190002/RWE/CJWAPPLICATION NO.
10/648,264FIRST NAMED INVENTOR
Scott WHITNEYFILING DATE
August 27, 2003ART UNIT
1743**U.S. PATENT DOCUMENTS**

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	AA						
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Fernandez, J. and Mische, S.M., "Enzymatic Digestion of Proteins on PVDF Membranes," in <i>Current Protocols in Protein Science</i> , Coligan, J.E. <i>et al.</i> , Eds., New York, NY, pp. 11.2.1-11.2.10 (1995).
	AS	2	Gharahdaghi, F. <i>et al.</i> , "Mass spectrometric identification of proteins from silver-stained polyacrylamide gel: a method for the removal of silver ions to enhance sensitivity," <i>Electrophoresis</i> 20:601-605, Wiley-VCH (March 1999).
	AT	2	Hellman, U. <i>et al.</i> , "Improvement of an 'In-Gel' Digestion Procedure for the Micropreparation of Internal Protein Fragments for Amino Acid Sequencing," <i>Anal. Biochem.</i> 224:451-455, Academic Press, Inc. (1995).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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0942.5190002/RWE/CJWAPPLICATION NO.
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Scott WHITNEYFILING DATE
August 27, 2003ART UNIT
1743**U.S. PATENT DOCUMENTS**

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	Merril, C.R. <i>et al.</i> , "Silver Staining Methods for Polyacrylamide Gel Electrophoresis," <i>Meth. Enzymol.</i> 96:230-239, Academic Press, Inc. (1983).
	AS	<u>3</u>	Oakley, B.R. <i>et al.</i> , "A Simplified Ultrasensitive Silver Stain for Detecting Proteins in Polyacrylamide Gels," <i>Anal. Biochem.</i> 105:361-363, Academic Press, Inc. (1980).
	AT	<u>3</u>	Patterson, S.D. and Aebersold, R., "Mass spectrometric approaches for the identification of gel-separated proteins," <i>Electrophoresis</i> 16:1791-1814, VCH (1995).

EXAMINER

DATE CONSIDERED

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	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Rabilloud, T., "Mechanisms of protein silver staining in polyacrylamide gels: A 10-year synthesis," <i>Electrophoresis</i> 11:785-794, VCH (1990).
	AS	<u>4</u>	Rabilloud, T. <i>et al.</i> , "Silver-Staining of Proteins in Polyacrylamide Gels: A General Overview," <i>Cell. Mol. Biol.</i> 40:57-75, Cellular and Molecular Biology (1994).
	AT	<u>4</u>	Riviere, L.R., "Enzymatic Digestion of Proteins in Solution," in <i>Current Protocols in Protein Science</i> , Coligan, J.E. <i>et al.</i> , Eds., New York, NY, pp. 11.1.1-11.1.19 (1995).

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INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.

0942.5190002/RWE/CJW

APPLICATION NO.

10/648,264

FIRST NAMED INVENTOR

Scott WHITNEY

FILING DATE

August 27, 2003

ART UNIT

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Scheler, C. <i>et al.</i> , "Peptide mass fingerprint sequence coverage from differently stained proteins on two-dimensional electrophoresis patterns by matrix assisted laser desorption/ionization-mass spectrometry (MALDI-MS)," <i>Electrophoresis</i> 19:918-927, Wiley-VCH (1998).
	AS	<u>5</u>	Shevchenko, A. <i>et al.</i> , "Mass Spectrometric Sequencing of Proteins from Silver-Stained Polyacrylamide Gels," <i>Anal. Chem.</i> 68:850-858, American Chemical Society (1996).
	AT	<u>5</u>	Sigma Catalog, Products for Life Science Research, pp. 962-965 (2000-2001).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
0942.5190002/RWE/CJWAPPLICATION NO.
10/648,264FIRST NAMED INVENTOR
Scott WHITNEYFILING DATE
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>6</u>	Stone, K.L. and Williams, K.R., "Digestion of Proteins in Gels for Sequence Analysis," in <i>Current Protocols in Protein Science</i> , Coligan, J.E. <i>et al.</i> , Eds., New York, NY, pp. 11.3.1-11.3.13 (1995).
	AS	<u>6</u>	Wood, H.W., "The Examination of Gelatin Extracts and Polythionates by means of Paper Electrophoresis," <i>J. Photo. Science</i> 2:154-159, The Royal Photographic Society of Great Britain (1954).
	AT		

EXAMINER

DATE CONSIDERED

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott WHITNEY

Appl. No.: 10/648,264

Filed: August 27, 2003

For: **Materials for Enhancing Staining
of Biopolymers in Matrices**

Confirmation No.: 5236

Art Unit: 1743

Examiner: Wallenhorst, M.

Atty. Docket: 0942.5190002/RWE/CJW

First Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Information Disclosure Statement filed concurrently herewith in connection with the above-captioned application.

In accordance with 37 C.F.R. § 1.98(a)(2), no copies of the U.S. patents cited on the attached Form PTO-1449 are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

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It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Christopher J. Walsh
Agent for Applicant
Registration No. 55,709

Date: November 4, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

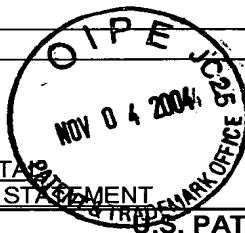
FORM PTO-1449

FIRST SUPPLEMENTARY
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
0942.5190002/RWE/CJW
FIRST NAMED INVENTOR
Scott WHITNEY
FILING DATE
August 27, 2003

APPLICATION NO.
10/648,264

ART UNIT
1743



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE1	4,416,998	11/22/1983	Adams <i>et al.</i>			03/17/1982
	AF1	4,434,234	02/28/1984	Adams <i>et al.</i>			06/09/1982
	AG1	4,582,808	04/15/1986	Oosawa <i>et al.</i>			05/18/1984
	AH1	5,064,768	11/12/1991	Ebata <i>et al.</i>			09/12/1989
	AI1	5,492,810	02/20/1996	Caetano-Anolles <i>et al.</i>			02/08/1994
	AJ1	5,567,585	10/22/1996	Caetano-Anolles <i>et al.</i>			06/09/1994
	AK1	6,127,122	10/03/2000	Park <i>et al.</i>			07/02/1998

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No


OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 2 of 2					
FORM PTO-1449 FIRST SUPPLEMENTAL PATENT INFORMATION DISCLOSURE STATEMENT	<div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> ATTY. DOCKET NO. 0942.5190002/RWE/CJW FIRST NAMED INVENTOR Scott WHITNEY </td> <td style="width: 50%;"> APPLICATION NO. 10/648,264 </td> </tr> <tr> <td> FILING DATE August 27, 2003 </td> <td> ART UNIT 1743 </td> </tr> </table>	ATTY. DOCKET NO. 0942.5190002/RWE/CJW FIRST NAMED INVENTOR Scott WHITNEY	APPLICATION NO. 10/648,264	FILING DATE August 27, 2003	ART UNIT 1743
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	6,316,267 B1	11/13/2001	Bhalgat <i>et al.</i>			10/27/1999
	AB2	3,835,143	09/10/1974	Witzel <i>et al.</i>			01/25/1972
	AC2	4,853,413	08/01/1989	Katz <i>et al.</i>			04/03/1987
	AD2	5,486,460	01/23/1996	Townsend			05/20/1993
	AE2	5,545,308	08/13/1996	Murphy <i>et al.</i>			06/19/1995
	AF2	4,007,135	02/08/1977	Hayden <i>et al.</i>			11/22/1974
	AG2	5,200,296	04/06/1993	Nagamatsu <i>et al.</i>			04/08/1992
	AH2	6,635,489 B2	10/21/2003	Whitney			11/20/2001
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

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	AM						Yes No
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